

KANAB CITY PLANNING COMMISSION MEETING

NOVEMBER 19, 2013

KANE COUNTY COMMISSION CHAMBERS

PRESENT: Chairman Pro-Tem Teresa Trujillo, Kent Burggraaf, Joan Thacher, David Borup, Terrill Honey and Arlon Chamberlain. Staff Member Levi Roberts of Five County and Business/Land Use Coordinator Gary McBride.

Teresa Trujillo opened the meeting at 6:30 p.m.

APPROVAL OF MINUTES: A motion was made by Arlon Chamberlain and 2nd by Kent Burggraaf to approve the minutes of the November 5, 2013 meeting, as corrected. Motion passed unanimously.

PUBLIC COMMENT PERIOD: No comments received.

MOTION TO GO INTO A PUBLIC HEARING: A motion was made to go into a public hearing by Kent Burggraaf and 2nd by Joan Thacher. Karla Johnson said she currently has a house on one acre and wants to split the property and would like to build a second house on the 4- acre piece. Karla spoke with a few of the neighbors, Shirley Shumway, Sheldon Willardson and his wife, and Bill and Kathy Terrill. They are ok with the changes. She was not able to talk to Mr. Koonz. Motion to go out of public hearing was made by Terrill Honey and 2nd by Arlon Chamberlain. Motion passed unanimously. The Commission stated that a RA-2 zone needs 250 ft. frontage and a RR-1 zone needs 150 ft. Frontage, and Gary McBride said this meets the frontage requirement. The surrounding property is zoned RR-1, which is consistent. A lot adjustment would need to be recorded. TC engineering drew up a map to be certain it would work. Findings: The proposed zone change complies with the Future Land Use Map in the Kanab City General Plan. Kent Burggraaf said that the lot size must meet the requirements of the zone change. A motion to make a recommendation to the City Council an amendment a Zone Change for parcels K-16-13-Annex and K-16-14-annex, property located at 810 S. 1000 E. from RA-2 to RR-1 was made by Terrill Honey and 2nd by Kent Burggraaf, motion passed unanimously.

MOTION TO GO INTO A PUBLIC HEARING: by Joan Thacher and 2nd by Arlon Chamberlain, to discuss the C-1 zone and possible creation of the neighborhood commercial zone. Charlie Sava is concerned about big businesses coming to Kanab. Levi states that there is a provision that a business cannot exceed 5 acres, so there couldn't be a huge shopping center. The intent of the zone would be for small offices and conveniences. He stated that staff did not recommend area with setbacks for neighborhood commercial zones. That was over looked. The intent was that people could have conveniences within neighborhoods. Terry Hoberman felt it would create a large footprint because of parking. Levi agreed. Doug Dewitz asked how it would affect property tax. Arlon Chamberlain stated it wouldn't change property tax or value. Jim Walls is concerned about the increase of traffic, in the neighborhood. Terrill Honey stated the intent was to compliment the neighborhood and provide services. Kent Burggraaf stated the reason this is being addressed is because people are asking for rezoning. Levi said the current C-1 zone which is the downtown area and the language is for a neighborhood commercial zone. It is in the Cities best interest to promote a high density of businesses in the downtown area. Mac Robinson asked if there are regulations on vacation rentals in a neighborhood. He said his neighborhood is like a hotel. He doesn't feel this should be allowed. Terrill Honey said there was no ordinance. Robert Houston asked for packets to be put online. Mr. McBride said it was posted on the public notice web site. Jim Walls agreed. Minutes will be posted within 48 hours of approval. Kent asked to discuss the 40,000 sq. ft. limitations. He feels there is a better way of doing it. Currently there is a business wanting to come to Kanab, and they want a building larger than 40,000 sq. ft. We should be flexible and add different restrictions. It will help out the tax base. Charlie Sava is concerned that big businesses would hurt the mom and pop stores. He asked the Commission to think long and hard about the affects it might have. Kent Burggraaf proposes not having a sq. footage requirement. He entertains a structural appearance, to keep the rural feeling. His fear is if we don't change the language, it may scare businesses away. Terrill Honey agrees this is a big issue. Robert Houston thinks that if a business wants to come they will. Joe Decker said that a decision can't be decided tonight, because of the Mayor changing in January and more research is needed. Motion to go out of the public hearing was made by Terrill

Honey and 2nd by Kent Burggraaf. Terrill Honey wanted to add a NC to the chart and discuss the area there and the setbacks, also in chapter 15 1-4 add amenity. Kent Burggraaf requested to table the changes related to the commercial zone to give staff time to research, 2nd by Joan Thacher. Motion passed unanimously.

MOTION TO GO INTO A PUBLIC HEARING: A motion was made by Kent Burggraaf and 2nd by Arlon Chamberlain to go into a public hearing to discuss and the sensitive slope standard and adoption of a new sensitive land map. Levi offered a short report of a minor change in the ordinance. There is a provision that if you have a slope greater than 10% is considered a steep slope and a stricter process. It has been brought to the attention of Staff that the hillside area designation is too restrictive and places unnecessary burden upon development in the City. The Critical Lands Planning toolkit for the State of Utah published notes that "steep slopes are generally defined as land with a slope angle of 20% or greater. Staff recommends a 20% slope to be more appropriate designation. In addition Staff proposes to adopt a sensitive lands map which shows which areas have that slope and also shows the floodplain areas and the blue clay. The floodplain information comes from FEMA and the map is produced by the City Engineer. Staff requests to consolidate all definitions included in chapter 11 into chapter 1, which includes definitions for the entire Land Use Ordinance. The Wetland issue was discussed. You cannot designate wetlands unless United States Army Corps of Engineer designates the land as wetland. Staff recommended to amend the current definition for "Wetlands" to include provisions, and add provision in section 11 – 18, which includes regulations for wetland areas. Motion to go out of a public hearing by Arlon Chamberlain and 2ⁿ by Terrill Honey. Motion passed unanimously.

Kent Burggraaf asked to publicly give notice of the definition section for the next meeting. Levi did not do a good review of the definitions. He agreed the definitions needs a little work.

Kent Burggraaf move that the Planning Commission recommend to the Kanab City Council an amendment to the Kanab City ordinance with the following changes. 2nd made by Terrill Honey. Motion passed unanimously.

1. Amended hillside slope from 10% to 20%.
2. Adopt a Sensitive Land Map to be included as an appendix to the Land Use Ordinance.
3. Amending the definitions for Sensitive Lands to include provision that refers to the adopted map as provided in the attached documents.
4. Amending definitions and regulation for wet lands to include the provision in Utah Code, section 10-9-512. Move definitions to chapter 1.

WORK MEETING: Nothing

COMMISSION MEMBER REPORT: Kent Burggraaf will be resigning from the Planning Commission the end of December to take on a new role in January.

PUBLIC MEETING: Terrill Honey added that there needs to be a definition in chapter 20 for group home and preschool. Private garages are listed but not in the chart. Gas station and convenience stores separate but not with them both combined. It's just not clear. Motion to adjourn was made by Member Trujillo and passed unanimously.

CHAIRMAN _____ DATE _____